

Serial No.: 10/748,102
Examiner: Jay P. Patel

Remarks/Arguments

Claims 1-28 remain in this application with claims, with claims 1, 16 and 19 being independent claims. No claims have been canceled. Claims 1, 16 and 19 have been amended.

Regarding the 35 USC 103 rejection:

In the office action independent claim 1 was rejected under 35 USC 103(a) as being unpatentable over Shabtay et al. (US Patent 7093027) in view of Devine et al. (US Patent 70335289) and further in view of Boivie et al. (US Patent 6842783). Applicants respectfully assert that independent claim 1, as now presented, is patentable over the cited references. Additionally, Applicants assert that none of the cited references, whether taken alone or in any reasonable combination teach, disclose or render obvious the invention as presently claimed in independent claim 1. In particular independent claim 1 claims in part "In an enterprise Metropolitan Area Network..." Applicants respectfully assert that nowhere in the cited references is this limitation disclosed. In fact, Shabtay is specifically limited to a Local Area Network which is part of the problem addressed in the background of the present invention. As each and every element of independent claim 1 is not disclosed in the cited references (alone or combined), Applicants respectfully asserts that independent claim 1, as now presented is patentable over the cited references.

Regarding claims 2-15, as these claims depend either directly or indirectly from independent claim 1, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 1, Applicants respectfully asserts that these claims are also patentable over the cited references.

In the office action independent claims 16 and 19 were rejected under 35 USC 103(a) as being unpatentable over Shabtay et al. (US Patent 7093027) in view of Boivie et al. (US Patent 6842783). Applicants respectfully assert that independent claims 16 and 19, as now presented, are patentable over the cited references. Additionally, Applicants assert that none of the cited references, whether taken alone or in any reasonable combination teach, disclose or render obvious the invention as presently claimed in independent claims 16 and 19. In particular independent claims 16 and 19 claim in part "...in an enterprise Metropolitan Area Network..."

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Applicants respectfully assert that nowhere in the cited references is this limitation disclosed. In fact, Shabtay is specifically limited to a Local Area Network which is part of the problem addressed in the background of the present invention. As each and every element of independent claims 16 and 19 are not disclosed in the cited references (alone or combined), Applicants respectfully asserts that independent claims 16 and 19, as now presented is patentable over the cited references.

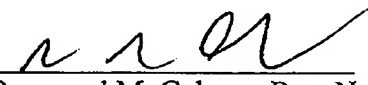
Regarding claims 17 and 18, as these claims depend either directly or indirectly from independent claim 16 and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 16, Applicants respectfully asserts that these claims are also patentable over the cited references.

Regarding claims 20-28, as these claims depend either directly or indirectly from independent claim 19, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 19, Applicants respectfully asserts that these claims are also patentable over the cited references.

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It is believed that the foregoing places the Application in condition for allowance; therefore, Applicants respectfully request withdrawal of the Examiner's rejection of the claims as set forth in the Office Action, and full allowance of same. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned at 512-306-8533 to expeditiously resolve any outstanding issues.

Respectfully submitted,

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